

TENNESSEE PRIVATE PROTECTIVE SERVICES

ADMINISTRATIVE POLICIES

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**POLICY #1 - INFORMATION ALLEGING OPERATION AS A
PROPRIETARY SECURITY ORGANIZATION**

Notwithstanding any other policy regarding the handling of complaints, when the administrative director receives information indicating that a proprietary security organization is operating without having filed the required notice and proof of insurance, the administrative director shall initiate correspondence for the purpose of bringing the proprietary organization into compliance with the law. If the proprietary security organization fails to come into compliance with the law within a reasonable time of the issuance of the correspondence, the administrative director should initiate a complaint including all information in his possession and forward it to the legal section with a new matter transmittal memorandum.

This Policy adopted by the Assistant Commissioner of the Division of Regulatory Boards on June 15, 1995.

**POLICY #2 - STAFF ATTORNEY AUTHORITY
COMPLAINTS ALLEGING OPERATION AS A PROPRIETARY SECURITY
ORGANIZATION WITHOUT HAVING MET STATUTORY AND RULE REQUIREMENTS**

When the Staff Attorney believes that there is sufficient evidence in connection with a complaint to establish that a proprietary security organization is operating without having filed the required notice and/or certificate of insurance, the Staff Attorney is hereby authorized to issue a Letter of Warning to the proprietary security organization.

The Letter of Warning shall require a response to the effect that the proprietary security organization will comply with the law regulating private protection services promptly.

If the proprietary security organization responds appropriately, the complaint should be closed.

If the proprietary security organization fails to respond appropriately to the Letter of Warning, the Staff Attorney is authorized to refer to the complaint to the appropriate District Attorney General's Office for the possible criminal prosecution.

This Policy adopted by the Assistant Commissioner of the Division of Regulatory Boards on June 16, 1995.

POLICY #3 - OPEN APPLICATIONS**Closed Within One (1) Year from the Date of the Receipt**

If an application for license, registration or certification has been on file with the Private Protective Services Office for more than a year without diligent effort on the applicant's part to continue the application process, the administrative director shall close the application file. It will be necessary for the applicant to file a new and complete application with the Private Protective Services Office to obtain a license, registration or certification.

An applicant who has received a notice of approval requesting payment of a fee shall have sixty (60) days from the date indicated on the approval to complete the process by paying the required fee(s). If the applicant fails to complete that process within the specified sixty (60) days the application shall be closed, it will become necessary for the applicant to reapply in order to obtain a license, registration or certification.

This Policy adopted by the Assistant Commissioner of the Division of Regulatory Boards on June 19, 1995.

**POLICY #4 - CONTRACT SECURITY COMPANY LICENSE
EXPIRATION AND RE-APPLICATION**

REPEALED 08/31/2000

**POLICY #5 - INCLUSION OF SWORN PEACE OFFICERS IN
DETERMINATION OF LICENSE AND RENEWAL FEE**

Pursuant to T. C.A. § 62-35-110 and Rule 0780-5-2-.23 of the rules of the Department of Commerce and Insurance, a contract security company should include the sworn peace officers it employs in determining the amount of the license fee or the renewal fee.

This Policy adopted by the Assistant Commissioner of the Division of Regulatory Boards on July 22, 1996.

**POLICY #6 - SECURITY GUARD/OFFICER REGISTRATION OF
INDIVIDUALS WHO CHECK IDENTIFICATION FOR AGE**

Individuals who only check for proper age identification are not required to be registered under the provisions of the Private Protective Services Licensing and Regulatory Act as amended.

This Policy adopted by the Assistant Commissioner of the Division of Regulatory Boards on October 28, 1996.

POLICY #7 - DENIAL OF APPLICANTS FOR REGISTRATION

The Private Protective Services Executive Director shall deny an application for registration as a guard under the following circumstances:

- (a) an applicant fails to meet the requirements to obtain a registration as set out in **T.C.A. §§ 62-35-116, 62-35-117 and 62-35-130**; and
- (b) an applicant fails to respond within thirty (30) days of a request for additional information which would allow the Department to ascertain whether or not a guard meets the requirements to obtain a registration as set out in **T.C.A. §§ 62-35-116, 62-35-117 and 62-35-130**; and
- (c) an applicant has been convicted of a criminal offenses that, in the opinion of the Commissioner or his Designee, reflect unfavorably on the fitness of the applicant to hold a registration as a security guard.

This Policy adopted by the Assistant Commissioner of the Division of Regulatory Boards on October 28, 1996.

POLICY #8 - ANONYMOUS COMPLAINTS

If the Executive Director or Staff Attorney receives anonymous information containing advertisements or other independent proof indicating a violation of the Private Protective Services Licensing and Regulatory Act or Rules promulgated, the Director shall treat such information as a complaint and process the complaint according to ordinary complaint-handling procedures.

Independent proof is defined as proof which does not depend solely on the statement(s) of the anonymous complainant. Examples of independent proof are photographs, news articles, contracts or other documentary evidence.

The Commissioner or his designee, upon receiving all other anonymous information, may initiate a complaint if the information submitted has indicia of reliability.

This Policy adopted by the Assistant Commissioner of the Division of Regulatory Boards on April 9, 1997.

POLICY #9 - CERTIFIED TRAINER FEES

Pursuant to Private Protective Services Rule 0780-5-2-.11(2)(i)(1), if a trainer possesses a current certification in firearms or general unarmed training and has possessed such certification since November 1, 1996, then the fee for such trainer to obtain certification to administer nonlethal weapons training shall be \$25.00.

All other trainers who wish to add any classification(s) to their current certification must pay the full \$150.00 fee. This fee shall be per issuance, not per classification.

This Policy adopted by the Commissioner's Designee for Regulatory Boards on November 20, 2000.